D Instr

B. CLASS B 1
24.11.64

NOTES

AFD 92 FAF-64

MYSORE GOVERNMENT SECRETARIAT

File No.....

Department of Agri.

Section Forest - 'B'

Subject : Land Regularisation

References :

Date	To whom sent	Notes and instructions
		Forest Ist/Late 2/11/64

D
1.11.64

FOR/NOT FOR NOTE BOOK
UNDER SECRETARY
M. N. Ansari
Under Secretary to Govt.

ಅರಣ್ಯ, ಮೃ. ಪ ಪಶುಸಂ ಖಾತೆ
ಶಾಸನ ಇಲಾಖೆ (ಅರಣ್ಯ-ಬಿ)

Land - regularisation of -

Mysore Government Secretariat

AFD File No. 92 FAF of 1964. [App. F. III 2

Serial No.

D. no. 3661/64.

The DC, Kanwar has submd proposals and has stated that one Sri. F.J. Rozas was granted an Area of 2-30-0 Ac out of F.S. no. 73 of Hutkhand village, Yellapur on Agri-Silvi System. It is also reported that the lessee has encroached an Area of 0-9-0 Ac of forest land out of S. no. 73 and constructed an house & cattleshed in area without the knowledge of the forest deptt., and this fact was noticed in the year 1956. For this act of the lessee, a fine of Rs. 20/- was levied, but the encroachment could not be removed, as he has

Note.—Contn. Sheet

ATD File No. 92 FAF of 196 6 | Mysore Government Secretariat

Serial No.

Constructed permanent Structures on the area. The dc has requested the diforestration of the area of 2-36-0 Ac granted on leave as well as the regularisation of the encroached area.

The Addl Commr, (2
and the CCF have agreed to the proposal of the dc, Karwar & requested orders of Govt

We may however (3
agree to the diforest-
ment of an area of 2-36-0 Ac granted on leave basis but with regard to the regularisation of 9 gunta encroached upon, we may consult

R.D.

MYSORE GOVT. SECRETARIAT
No.....
26 AUG 1964
REVENUE DEPT. ('D' SECTION)

MYSORE GOVT. SECRETARIAT
No
27 AUG 1964
REVENUE DEPT. (RECEIPT & ISSUE SECTION)

WD. 0101, GPH, PES—8,00,000—1-10-61

7/3
27-8-64

Land - regularisation

4

Mysore Government Secretariat

A-1 File No. 92 FA of 1964

[App. P. III 2

Serial No.

(4) may be marked to R.D

RR 18/8

(5) R.D)

H. 19/8

JR 25/8/64 (T. S. RAMAIYA), Under Secretary to Govt., Agriculture & Forest Department.

(6) R.D. agrees to the proposal.

5475

W) 29/8

H. 29.8.64

D.S) 1.9.64

S 1.9.64

(7) Rs A F & D)

The entire area of A G 3-05 (including the land leased and the land encroached upon) may be disforested and placed at the disposal of the RD. The DC Concern will then be requested to dispose of the land as per the Land Revenue Rules

8/9/64

N. NARASIMHA RAU,
Secy., Rev. Dept.

REVENUE SECRETARY No. 9743 2 SEP 1964 GOVERNMENT OF MYSORE

MYSORE GOVT. SECRETARIAT No. LAD 0 743 11 SEP 1964 AGRL. & FOREST DEPT. (RECEIPT & DESPATCH)

JR

A & FD)

Note.—Contn. Sheet

P. To

Regularisation of Encroachment 5
of Ps. No: 73 of Hattikhand N.Kenara

File No. AFD 92 FAF of 1964.

Mysore Government Secretariat

P.S.C.F.

	Serial No.
Draft G.O. is put up for approval We 14-9-64	8
Draft G.O may kindly be approved. R.D has agreed to the proposal.	9
15/9 Draft G.O. may be approved This is to accord sanction to disforest an area of 3-05 A Gts from Forest Survey No 73 of Hattikhand as per recommendation of R.D. (Vide Para 7 of N.7)	10.

DR
3/10/64.
(T. S. RAMAIYA),
Under Secretary to Government,
Agriculture : Forest Department.

~~D.S.~~)

Submitted for kind approval.
7.10.
V. M. LINGIAH,
Deputy Secretary,
Agriculture and Forest Department.

DEPUTY SECRETARY TO GOVT. NO. 8899 7-OCT 1964 AGRICULTURE & FOREST DEPTT.

Seen.
(in Law)

DR
24/10/64

Minister for Forests

Approved
DR 14.10.64

OFFICE OF THE MINISTER FOR FORESTS No. F. 1966/64 8 OCT 1964 BANGALORE

AGRICULTURE 6555 14 OCT 1964

S.A.F.F.
24/10/64

Issue
DR
14/10/64
(T. S. RAMAIYA),
Under Secretary to Government,
Agriculture : Forest Department.

ISSUED
Date 24-10-1964

WD-010154—GPB—PZS—8,00,000—1-10-63 Of Mysore

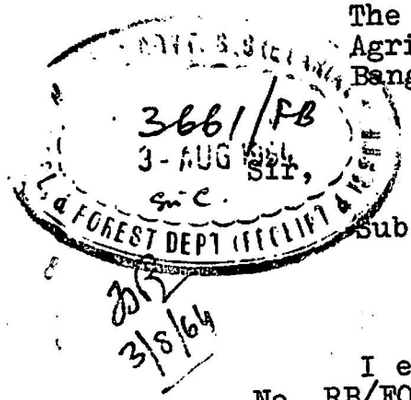
6

No. B3-19-GFL-377/64-65.
Encl. are file

Chief Conservator's Office,
Bangalore, dated July 1964
1-8

To

The Secretary to Government,
Agriculture & Forest Department,
Bangalore.



AFD 92 FAF 64

Sir,

Sub: Lands: Kanara Hutkhand. Taluka Yellapur.
Regularisation of encroachment.

I enclose herewith the case papers ending with letter No. RB/FOR.SR. 1623 dated 20-5-1964 from the Divisional Commissioner, Belgaum on the above subject for further action. I agree with the proposal of the Divisional Commissioner.

Yours faithfully,

Chief Conservator of Forests,

7 3 (145)

GOVERNMENT OF MYSORE

Office of the
Deputy Commissioner,
N.K. *Karwar.*

KARWAR,

Dated 31-1- *1964*.

D.O. No. LND-II-SR-VIII-730

To

The Divisional Commissioner,
Belgaum.

Sir,

Subject:- Lands : Kanara
Hutkhand, Taluka Yellapur -
Regularisation of encroachment
over certain.. at

In submitting herewith the correspondence ending with endorsement No. FOP/GFL/LND/286/63-64 of 23-11-1963 from the Divisional Forest Officer, E.D. and an extract from the notes, of inspection of this office in December last I have to state as under:-

2. This is a case of encroachment on 0-9-0 of forest land out of S.No. 73 of Hutkhand village, Taluka Yellapur adjoining the area of 2-36-0 leased out to one F.J.Ruzar on Agrisilvi system from the same S.No. Shri Ruzar himself is responsible for the encroachment. He is reported to have constructed his house and Cattle-shed in the area encroached upon. He requests for regularisation of the encroachment and also for disforestment the 2-36-0 of his lease hold. The encroachment was detected in 1956. The offence case built up by the Forest Department in this connection ended in composition by levying a fee of Rs. 20/-. The forest Department have no objection to disforest 2-36-0 but they are not in favour of regularisation of the encroachment over 0-9-0. The Divisional Forest Officer also feels that the encroachment is a deliberate one.

Forest 1623

3. Since the encroachment is one existing from a date prior to the issue of G.O.No. AFD 6 MRP 58 the Divisional Forest Officer was asked to state whether he has any objection to the regularisation. But he confirms his original view and he is not in favour of regularisation as according to him the encroachment is a deliberate one for a purpose other than agriculture.

4. It is true that the area encroached upon is comprised by the house of the encroacher and his cattle-shed. It however adjoins his lease hold. He is reported to have no other lands and so the house and cattleshed which are a necessity for the better cultivation of the land would form an integeral part of his cultivating arrangement. So even though the area of 0-9-0 has not been cultivated it will have to be treated as an encroachment for cultivation for the purpose of para 2 of the annexture to G.O.No. AFD 6 MRP 58 of 19-5-1958 and the encroachment regularised.

5. Since the Forest Department has not given concurrence for disforestment of the 0-9-0 encroached upon and I feel that its disforestment and grant to the encroacher is a necessity for the better cultivation of the 2-36-0 I would request that Government may kindly be moved to disforest 3-5-0 (i.e. 2-36-0 consisting of the lease hold of the encroacher and 0-9-0 occupied by the house and Cattleshed). out of S.No. 73 of Hutkhand village, Taluka Yellapur and its

....2

its grant to the encroacher on usual terms and conditions to be imposed by the Revenue Dept. Occupancy price at the usual rates will be levied with regard to 2-36-0 for the encroached area however occupancy price of Rs. 2-8-0 per guntha as per G.O. of 19-5-1958 will be charged. His request e for the additional area of 1-32-0 may however be refused.

Yours faithfully,

D.I.Kanara

o.c.signed by Dy.Commr.

for Deputy Commissioner, N.Kanara.

2/3/1 23641 RB

03 FEB 1964

No. RB/F.R. SR-1623, Belgaum, 5-2-1964.

F. w. cs. to the Conservator of Forests, C.C., Belgaum, for early remarks regarding regularisation of the encroachment, ~~may be regularised~~ in view of the Deputy Commr. N. Kanara's above report.

for Dist. Commr. Belgaum

2/5/2 4.2.64

8 FEB 1964

Office of Forests Circles Belgaum

Received No. 2211

Date 7/2

(4391)

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(147)

Below No.RB-FOR-SR-1623 of 5-2-1964 from the Divisional Commissioner, Belgaum.

.....

Subject:-Lands - Kanara - Hutkhand - Taluka Yellapur - Regularisation of encroachment over certain at

No.FOP/GFL/ED/21/1/64-65.
Belgaum, 6th ~~April~~ May, 1964.

Retransmitted.

2. The contention of the Deputy Commissioner that para 2 of G.O. of 19-5-1956 provides ~~that~~ regularisation of encroachment done for construction of houses over forest lands, as houses and cattle sheds are integral part of cultivation and had the land been encroached upon for cultivation, it would have been regularised under the provisions of the G.O. The interpretation of the Deputy Commissioner appears to be not correct, as the area is utilised in such cases is for non-agricultural purposes. The G.O. is not specific. So far grant of land for house building is made after obtaining orders of Government by the Revenue Department if the requests are considered genuine.

3. The D.F.O., is of the opinion that the encroachment of 9 gunthas done for the house and cattle shed is a deliberate one. The applicant should have built the house, etc., on the land given to him on H.L. and not on the adjoining forest land. His action therefore amounts to intentional one.

65

RB

MAY 1964

4. However as recommended by the D.F.O., an area of 2 acres 36 gunthas already granted on lease may be granted after ~~inforce~~ disforestment as also 9 gunthas encroached upon for house, etc., be regularised after obtaining orders of Government, as eyiction of the encroacher at this stage may be an mean hardship.

D. Nanjundappa
(D. Nanjundappa) 4/5-
Conservator of Forests,
Belgaum Circle.

Copy to the D.F.O., Kanara E.D.Dharwar for information.

P.30/4.

GOVERNMENT OF MYSORE

(7) 10

OFFICE OF

The Divisional Commissioner,

Belgaum Division, Belgaum...

none

No. AB/FOR.SR.1623.

Encls.

Date 25 May 1964.

To

The Secretary to Government,

Agriculture And Forests Department,

Bangalore.

Sir,

Subject:- Forest Land : North Kanara..Huttakhand Taluka Yellapur..Regularisation of encroachment over certain etc. at.....

I forward herewith the case papers received under the Conservator of Forest, Belgaum Circle, Belgaum's endorsement bearing No.FOP.GFL.ED.21/1/64-65 of 4-5-64 and write to state as under:-

2. The facts of the case have been mentioned in detail in the Deputy Commissioner's report of 31-1-1964. The Deputy Commissioner has proposed that an aggragate area of A-3 G-5 A-0 out of F.S.No.73 of Huttakhand (A-2 G-36 A-0 being the leased out land to Shri.F.J.Ruzar and 0-9-0 being the area encroached by upon by him) may be disforested for grant to the lessee. The Conservator of Forests, Belgaum Circle, Belgaum has agreed to this. I therefore, recommend the proposals. Government may kindly be moved to accord sanction to disforest A-3 G-5 A-0 of land mentioned above and to release the same to Revenue Department for grant to the lessee under the rules. Orders of Government may kindly be communicated early.

The connected records may kindly be returned to the Deputy Commissioner, North Kanara direct when done with.

Yours faithfully,

(R.A.Patil.)

for Divisional Commissioner,
Belgaum.

O.C.Signed by Commissioner.

Through the Chief Conservator of Forest in Mysore Bangalore with compliments.

M. G.S. App. F VI—G. 2]

11 9

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section

Serial No.

File No.

Mysore Government Secretariat

( )

the 195 .

Proceedings of the Government of Mysore

ISSUED

Date of issue..Date..24-11-1964..195

Read— Letter No. BS-19-GFL-377 64-65 dt. 1-8-64 from The Cf. Blore.

Signed by.....

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Order thereon.—No.

The Cf. recommends the proposed ₹ D.C.N. Kanara to disforest 3-5-0 Acts ₹ Fs. No. 73 ₹ Hattkhand village Tq. Yellapur and issue grant to encroacher Sri F.J. Reuben who was given an area on ₹ 2-36-0 of S. No. 73 on lease on Agrisilvi system and who encroached a further area ₹ 0-9-0 from the

Same S. No. and registered for the disfranchisement of an area of 3-5-0 i.e. 2-36-0 granted to him and 0-9-0 encroached by him.

Order. AFD 92 FAF 64.

Govt. are pleased to order disfranchisement of an area of 3-5-0 from F.S. No. 73 of Hutkhand village of Yellapur Tq. N.K. Distt. and Surrender to R.D. for disposal as per land grant rules in force.

B.O.

Up to Govt.
14-9-64 A.S.O.

List of Enclosures.

Copied by

Examined by

To,
The Ct.
The D.C. Belgaum.
The Dy. C. N.K. Karwar (with Records)
The R.D.
The U.O.

WD 04007—GTB—1275—4,00,000—22-3-60

13

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Sub: Lands - Kanara - Hutkhand - Taluka Yellapur - Regularisation of encroachment over certain st.

ORDER NO.AFD 92 PAF 64 BA TED BANGALORE THE 24th NOV.64.

Read:- Letter No.B3-19-GFL-377 64-65, dated 1-8-64 from the Chief Conservator of Forests, Bangalore.

Preamble:-

The Chief Conservator of Forests recommends the proposal of the Deputy Commissioner, North Kanara to disforest 3-5-0 out of F.S.No.73 of Hutkhand Village, Taluka Yellapur and its grant to encroacher Sri P.J.Nazar who was given an area of 2-36-0 of S.No. 73 on lease on Agricilvi system and who encroached a further area of 0-9-0 from the same Sr.No. and requested for the disforestment of an area of 3-5-0 ie., 2-36-0 granted to him and 0-9-0 encroached by him.

ORDER:-

Goverment are pleased to order disforestment of an area of 3-5-0 from F.S.No.73 of Hutkhand Village of Yellapur Taluk, North Kanara District and surrender to Revenue Department for disposal as per Land Grant Rules in force.

By Order and in the name of the Governor of Mysore.

o/c T.S.Ramaiya

Under Secretary to Government, Agriculture and Forest Department.

To:- The Chief Conservator of Forests, Bangalore.
The Deputy Commissioner, Belgaum.
The Deputy Commissioner, N.K. Karwar with records.
The Revenue Department./The Weekly Gazette.

14

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Sub: Lands - Kanara - Kutkhand - Taluka Yellapur - Regularisation of encroachment over certain st.

ORDER NO.AFD 92 PAF 64 BA TED BANGALORE THE 24th NOV.64.

Read:- Letter No.B3-19-DFL-377 64-65, dated 1-8-64 from the Chief Conservator of Forests, Bangalore.

Preamble:-

The Chief Conservator of Forests recommends the proposal of the Deputy Commissioner, North Kanara to diforest 3-5-0 out of P.S.No.73 of Kutkhand Village, Taluka Yellapur and its grant to encroacher Sri P.J.Nusar who was given an area of 2-36-0 of S.No. 73 on lease on Agrisilvi system and who encroached a further area of 0-3-0 from the same Sr.No. and requested for the diforestment of an area of 3-5-0 ie., 2-36-0 granted to him and 0-3-0 encroached by him.

ORDER:-

Government are pleased to order diforestment of an area of 3-5-0 from P.S.No.73 of Kutkhand Village of Yellapur Taluk, North Kanara District and surrender to Revenue Department for disposal as per Land Grant Rules in force.

By Order and in the name of the Governor of Mysore.

T.S.Ramaiya

Under Secretary to Government, Agriculture and Forest Department.

To:- The Chief Conservator of Forests, Bangalore.
The Deputy Commissioner, Belgaum.
The Deputy Commissioner, N.K. Karwar with records.
The Revenue Department./The Weekly Gazette.

15

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Sub: Lands - Kanara - Kutkhand - Taluka Yellapur - Regularisation of encroachment over certain lands.

ORDER NO.AFD 92 PAF 64 BA TED BANGALORE THE 24th NOV.64.

Read:- Letter No.B3-19-DFL-377 64-65, dated 1-8-64 from the Chief Conservator of Forests, Bangalore.

Preamble:-

The Chief Conservator of Forests recommends the proposal of the Deputy Commissioner, North Kanara to diaforest 3-5-0 out of F.S.No.73 of Kutkhand Village, Taluka Yellapur and its grant to encroacher Sri F.J.Nunar who was given an area of 2-36-0 of S.No. 73 on lease on Agrisilvi system and who encroached a further area of 0-3-0 from the same Sr.No. and requested for the diaforestment of an area of 3-5-0 ie., 2-36-0 granted to him and 0-9-0 encroached by him.

ORDER:-

Government are pleased to order diaforestment of an area of 3-5-0 from F.S.No.73 of Kutkhand Village of Yellapur Taluk, North Kanara District and surrender to Revenue Department for disposal as per Land Grant Rules in force.

By Order and in the name of the Governor of Mysore.

J.S.Ramaiya

Under Secretary to Government, Agriculture and Forest Department.

To:- The Chief Conservator of Forests, Bangalore.
The Deputy Commissioner, Belgaum.
The Deputy Commissioner, N.K. Karwar with records.
The Revenue Department./The Weekly Gazette.